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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Christopher Kohls,

Plaintiff,

v.

Robert A. Bonta, et al.,

Defendants.

Civil No. 2:24-cv-02527-JAM-CKD

Notice of Related Case

Judge John A. Mendez

1 1. Pursuant to Local Rule 123, Plaintiffs notify the Court of the following re-
2 lated case: *The Babylon Bee, LLC v. Bonta*, Case No. 24-cv-2787, filed Sept. 30, 2024. This
3 notice of related case has also been filed in *The Babylon Bee*.

4 2. *The Babylon Bee* shares many similarities with this case. Both cases involve
5 the same defendants: Rob Bonta and Shirley N. Weber. Both cases involve similar claims
6 against the same California laws: First and Fourteenth Amendment claims against AB
7 2839 and AB 2655. Cal. Const. art. V, § 13; Cal. Elec. Code § 20516. Both cases involve
8 plaintiffs who want to engage in speech prohibited by AB 2839, including some of the
9 same speech. Compare V. Compl. ¶¶ 5–7, *Kohls v. Bonta*, No. 24-cv-2527 (Sept. 17, 2024),
10 ECF No. 1 (describing fictitious Kamala Harris campaign ad), with V. Compl. ¶¶ 119–21,
11 *The Babylon Bee*, ECF No. 1 (describing same fictitious ad). Both cases involve similar
12 questions of law too: whether AB 2839 and AB 2655 unconstitutionally regulate the
13 speech of everyday citizens and organizations who want to speak about the upcoming
14 presidential election. Compare V. Compl. ¶¶ 4–16, *Kohls*, ECF No. 1, with V. Compl. ¶¶
15 1–6, *The Babylon Bee*, ECF No. 1.

16 3. Plaintiffs in *The Babylon Bee* initially filed their action in the Central Dis-
17 trict of California. The Central District Court recognized that these two cases “involve[]
18 substantially similar issues and parties.” Min. Order, *The Babylon Bee*, ECF No. 15.

19 4. This Court granted an injunction in *Kohls*, enjoining AB 2839 for being a
20 content-based regulation of speech that violated the plaintiff’s First Amendment rights.
21 Plaintiffs The Babylon Bee, LLC, and Kelly Chang Rickert seek the very same relief in
22 their pending motion for a preliminary injunction. Appl. TRO or Mot. Prelim. Inj. 1–4,
23 *The Babylon Bee*, ECF No. 12.

24 5. After this Court issued the preliminary injunction, the Central District
25 transferred *The Babylon Bee* to the Eastern District because “the balance of factors fa-
26 vor[ed] transfer” and transferring the case would “serve the interests of justice and the
27 convenience of the parties and witnesses.” Order, *The Babylon Bee*, ECF No. 33.

6. Given the significant overlap between these two cases in questions of fact, law, and requests for relief, and given that Judge Mendez has already ruled on the legal issues presented in Plaintiffs' motion for preliminary injunction, assigning this action to Judge Mendez will likely save substantial judicial and party resources.

DATED: October 16, 2024 Chavez-Ochoa Law Offices, Inc.

/s/ Brian R. Chavez-Ochoa

Brian R. Chavez-Ochoa

Counsel for Plaintiffs

1 **PROOF OF SERVICE**

2 I hereby certify that I filed a true and accurate copy of the foregoing document with
3 the Clerk of Court using the CM/ECF system, which automatically sends an electronic
4 notification to all attorneys of record.

5 DATED this 16th day of October, 2024.

6 /s/ Brian R. Chavez-Ochoa

7 Brian R. Chavez-Ochoa

8 *Counsel for Plaintiffs*

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